

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 789 of 2023

**Kasturi Gangopadhyay
Vs.
Sandipta Gangopadhyay**

For the petitioner : Mr. Rabindra Kumar Jaiswal

Judgement on : 03.04.2023.

Bibek Chaudhuri, J.

An application for interim monetary allowance under Section 23 of the Protection of Women from Domestic Violence Act (though in the nomenclature of the application the petitioner recorded Section 20) was filed in the year 2019. However, till date the said application has not been disposed of. It is the statutory direction under Sub-Section (5) of Section 12 of the PWDV Act that the application for domestic violence shall be disposed of within six months from the date of first hearing of the matter.

In the instant case, the application has been filed in the year 2019. The Trial Court did not find any time till date to dispose of the application for interim monetary allowance.

The opposite party has already entered appearance.

Under such circumstances, the learned Magistrate is directed to obtain written objection and affidavit of assets of the opposite party within one month from the date of communication of this order and the application for interim monetary allowance shall be disposed of within next one month from the date of filing of the affidavit of assets by both the parties.

The application is, thus, disposed of.

(Bibek Chaudhuri, J.)

Srimanta, A.R.(Ct.)
Item No. 150.